

UTILITY PATENT APPLICATION TRANSMITTAL LETTER

The Assistant Commissioner  
 For Patents  
 Washington, D.C. 20231

Transmitted herewith for filing in the patent application of:

Rony A. ABOVITZ; William F. TAPIA; and Robert F. FRECHETTE

For: DIGITAL MINIMALLY INVASIVE SURGERY SYSTEM

Enclosed are:

- [XX] 23 pages of specification: 12 pages description; 10 pages claims; 1 page abstract.  
 [XX] 3 sheets of drawing(s) including FIGURES 1-3.  
 [XX] A Declaration for Patent Application.  
 [XX] An Assignment of the invention to Z-KAT INC. (Small Entity).  
 [XX] Applicant hereby claims Small Entity Status (see 37 CFR 1.27).  
 [XX] A Request & Certification Under 35 U.S.C. 122(b) (2) (B) (i).  
 [XX] Utility Patent Application Initial Information Data Sheet.  
 [ ] A Form PTO-1449 and \_\_\_ references.

CLAIMS AS FILED

FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	38 - 20 =	18	[ ] \$18 LARGE [XX] \$ 9 SMALL	\$ 162.00
INDEPENDENT CLAIMS	6 - 3 =	3	[ ] \$84 LARGE [XX] \$42 SMALL	\$ 126.00
BASIC FEE	[ ] LARGE ENTITY	\$740	[XX] SMALL ENTITY	\$370
TOTAL FILING FEE \$				<u>370.00</u> <u>658.50</u>

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Date

Attorney of Record

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(I)**

First Named Inventor **R. ABOVITZ, et al.**

Title **DIGITAL MINIMALLY INVASIVE  
SURGERY SYSTEM**

Atty Docket Number **ZKT 2 0014**

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 16, 2001

Date



Signature

Thomas E. KOCOVSKY, Jr., 28,383

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This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(III)).**

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